

11/30/2006 Response to Office Action
U.S.S.N. 10/807,064

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REMARKS

The present invention relates to an improved polishing pad suitable for chemical mechanical planarization (CMP). Claims 1-51 are pending. Claims 34-51 were previously withdrawn from consideration as being drawn to a non-selected invention.

The applicant gratefully acknowledges the Office Action's assertion that claims 2, 9-13 and 18-25 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

The Office Action of October 19, 2006 failed to classify claims 26-33, which were previously rejected (see Office Action of May 11, 2006).

Claims 1, 3-7, and 14-17 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Xu *et al.* (U.S. Patent 6,949,020). The Office Action states that Xu *et al.* disclose a pad having polymeric material, a component and thermoplastic polymer. The Office Action further asserts that the Xu *et al.* reference describes pores, and provides a complete understanding (ref. col. 14, lines 15-42).

The applicant respectfully disagrees. However, to advance the prosecution of this case, the limitations of claim 2 have been incorporated into claim 1, thereby satisfying the criteria set forth above and rendering claim 1 allowable. Claims 9-13 and 18-25, which ultimately depend on claim 1, are therefore also allowable. Claims 26-33 also directly or ultimately depend upon claim 1, and therefore are also allowable.

Claims 34-51 are hereby canceled, without prejudice.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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